

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

A.A.R.P., W.M.M., and F.G.M., *et al.*, on their own
behalf and on behalf of all others similarly situated,

Petitioners–Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Respondents–Defendants.

Case No. 1:25-cv-059-H

**PETITIONERS-PLAINTIFFS’
AMENDED MOTION FOR
CLASS CERTIFICATION AND
APPOINTMENT OF CLASS
COUNSEL**

**PETITIONERS-PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION
AND APPOINTMENT OF CLASS COUNSEL**

TO THE COURT, ALL PARTIES AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Petitioners-Plaintiffs (“Petitioners”) hereby move the Court
for an order certifying a class in this matter as follows:

All noncitizens in custody in the Northern District of Texas who were, are,
or will be subject to the March 2025 Presidential Proclamation entitled
‘Invocation of the Alien Enemies Act Regarding the Invasion of the United
States by Tren De Aragua’ and/or its implementation.

Petitioners further move for an order appointing them as representatives of the class defined
above, and appointing Petitioners’ counsel as counsel for the class.

Petitioners further move for an order requiring the government to identify members of the
class and provide notice when a class member is transferred into the District.

This Motion is made pursuant to the Federal Rule of Civil Procedure 23(a) and 23(b)(2)
or, in the alternative, under principles of habeas jurisdiction and equity with Federal Rule of Civil
Procedure 23 as a guidepost. The Motion is based upon a supporting Memorandum of Law and
accompanying declaration, which is filed concurrently with this Motion.

Dated: April 18, 2025

Lee Gelernt*
Daniel Galindo*
Ashley Gorski*
Patrick Toomey*
Sidra Mahfooz*
Omar Jadwat*
Hina Shamsi*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
T: (212) 549-2660
E: lgelernt@aclu.org
E: dgalindo@aclu.org
E: agorski@aclu.org
E: ptoomey@aclu.org
E: smahfooz@aclu.org
E: ojadwat@aclu.org
E: hshamsi@aclu.org

Noelle Smith*
Oscar Sarabia Roman*
My Khanh Ngo*
Cody Wofsy*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
425 California Street, Suite 700
San Francisco, CA 94104
T: (415) 343-0770
E: nsmith@aclu.org
E: osarabia@aclu.org
E: mnngo@aclu.org
E: cwofsy@aclu.org

Respectfully submitted,

/s/Brian Klosterboer
Brian Klosterboer
Tx Bar No. 24107833
Thomas Buser-Clancy*
TX Bar No. 24078344
Savannah Kumar*
TX Bar No. 24120098
Charelle Lett*
TX Bar No. 24138899
Ashley Harris*
TX Bar No. 24123238
Adriana Piñon*
TX Bar No. 24089768
Adriana Piñon*
TX Bar No. 24089768
ACLU FOUNDATION OF TEXAS,
INC.
1018 Preston St.
Houston, TX 77002
(713) 942-8146
bklosterboer@aclutx.org
tbuser-clancy@aclutx.org
skumar@aclutx.org
clett@aclutx.org
aharris@aclutx.org
apinon@aclutx.org

Attorneys for Petitioners-Plaintiffs
**Pro hac vice applications
forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2025, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system which sends notice of electronic filing to all counsel of record. I provided copies of the foregoing motion, declaration, and accompanying memorandum and proposed order via email to the U.S. Attorney's Office, Northern District of Texas to:

United States Attorney's Office
Northern District of Texas
Chad Meacham
Abilene Office
325-271-6700
500 Chestnut Street, Suite 601
Abilene, TX 79602
CMeacham@usa.doj.gov

Dated: April 16, 2025

/s/ Brian Klosterboer
Brian Klosterboer
ACLU FOUNDATION OF TEXAS,
INC.
1018 Preston St.
Houston, TX 77002
(713) 942-8146
Bklosterboer@aclutx.org

Attorney for Petitioners- Plaintiffs

CERTIFICATE OF CONFERENCE

I certify that pursuant to LR 7.1(a), Petitioners' counsel attempted to confer with counsel for Respondents prior to filing by emailing the Chad E. Meacham, the United States Attorney for the Northern District of Texas, and seeking the government's position. Petitioners' counsel was not able to obtain a response prior to filing.

Dated: April 16, 2025

/s/Brian Klosterboer
Brian Klosterboer